

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ANTHONY ADAMS
AIS #180127,

Plaintiff,

V.

PRISON HEALTH SERVICES, INC., et al.,

Defendants.

CASE NO. 2:07-CV-351-CSC

ORDER

On November 5, 2007, the Court erroneously accepted and filed a motion to dismiss on behalf of the plaintiff. This pleading, to the extent plaintiff requests dismissal of his case based on a motion to dismiss, is not properly before the court as it was submitted without permission of the court. *Order of April 27, 2007 - Court Doc. No. 4* at 3 (“No ... motion to dismiss . . . [may] be filed by any party without permission of the court.”). The aforementioned order further directed that “[i]f any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court [without the requisite permission having been granted], the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.” *Id.* at 3-4. Accordingly, it is

ORDERED that the motion to dismiss submitted by the plaintiff on November 5, 2007 be stricken from the docket. The Clerk is hereby DIRECTED to enter this document

as a response to the Recommendation.

Done this 6th day of November, 2007.

/s/ Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE